A SUMMARY OF ORDINANCE NO. 2014-08 ENTITLED
"AN ORDINANCE REZONING PROPERTY OWNED BY BLANKENSHIP AND LEE INVESTMENTS, INC., AT BINDER DRIVE, LONDON, KENTUCKY"

This summary is prepared pursuant to KRS 83A.060 (4) as a correct summary of this Ordinance.

The main points of this Ordinance are that a public hearing was conducted by the London-Laurel County Zoning and Planning Commission on the 12th day of August, 2014, following a request to the Zoning Commission that the property be rezoned. This property is located at Binder Drive, London, Kentucky and is more particularly described in the full text of the Ordinance. All of the requirements of KRS 100.211 have been met. The Zoning and Planning Commission's recommendation of approval of this requested zone change is this property is currently zoned I-1 (industrial), it has been requested that this property be rezoned to C-2 (commercial). There has been compliance with KRS Chapter 100.

This summary is certified by City Attorney Larry G. Bryson to comply with KRS 83A.060(9), and will be effective upon publication of the summary.

Larry G. Bryson
London City Attorney

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2014-08

AN ORDINANCE REZONING PROPERTY OWNED BY BLANKENSHIP AND LEE INVESTMENTS, INC., AT BINDER DRIVE, LONDON, KENTUCKY:

BE IT ORDAINED BY THE CITY OF LONDON AS FOLLOWS:

Public hearings were conducted by the London-Laurel County Zoning and Planning Commission on August 12, 2014, concerning the rezoning of property owned by the following person:

(1) Blankenship and Lee Investments, Inc., owns property that is located at Binder Drive, London, Kentucky; this property is currently zoned I-1 (industrial), the owner has requested that this property be rezoned to C-2 (commercial). It has been represented to the City Council of the City of London that all requirements of public notice have been met in keeping with KRS 100.211, that all legal requirements have been met and that there has been compliance with all applicable provisions of KRS Chapter 100. The rezoning of the tract of property was requested by the property owner and the hearings were conducted in a timely manner. The London-Laurel County Zoning and Planning Commission made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that the requested change is anticipated in the adopted comprehensive plan, and has made a recommendation of approval of this requested zone change and that the zoning map be amended to reflect these changes.

IT IS THEREFORE ORDAINED AS FOLLOWS:

(1) The property of Blankenship and Lee Investments, Inc., located at Binder Drive,

London, Kentucky be rezoned from I-1 to C-2 and that the zoning map reflect these zone changes. A description of the property is more particularly set out herein below:

LYING AND BEING IN LAUREL COUNTY, KENTUCKY. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOCATED 250 FEET EAST Of MELCOMB ROAD APPROXIMATELY 0.2 MILES SOUTH OF IT'S INTERSECTION WITH HIGHWAY #80 IN THE LONDON AREA OF LAUREL COUNTY. KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS TO WIT:

BEGINNING AT AN IRON PIN #670 (FOUND) IN THE LINE OF T. JONES (D.B. #484, PG . #278), BEING A COMMON CORNER TO MICHAEL BROUGHTON SR, MICHAEL BROUGHTON JR. (D.B. #549. PG. #536), AND FLAV-O-RICH DAIRIES LLC. (D.B. #536. PG. #25)

THENCE LEAVING THE JONES LINE WITH THE FENCE NORTH 88-36-37 WEST A DISTANCE OF 339.80 FEET TO AN IRON PIN #670 (FOUND) AT THE FENCE CORNER

THENCE WITH THE FENCE SOUTH 16-51-06 WEST A DISTANCE OF 243.15 FEET TO A CAR AXLE (FOUND) AT THE FENCE CORNER BEING A COMMON CORNER TO ANTHONY BRUMMETT, TERRY BLAKENSHIP (D.B. #549, PG #640), THE BROUGHTONS AND FLAV-O-RICH DAIRIES.

THENCE LEAVING THE BROUGHTON'S LINE, AND RUNNING WITH THE FENCE NORTH 88-06-09 WEST A DISTANCE OF 521.29 FEET TO AN IRON PIN #670 (FOUND) AT THE FENCE CORNER BEING A COMMON CORNER TO FLAV-O-RICH DAIRIES LLC. AND ANTHONY BRUMMETT, TERRY BLANKENSHIP.

THENCE WITH THE FENCE SOUTH 05-17-42 WEST A DISTANCE OF 352.52 FEET TO A 1-INCH STEEL PIPE (FOUND) AT THE FENCE CORNER.

THENCE WITH THE, FENCE SOUTH 87-06-02 EAST A DISTANCE OF 148.15 TO AN IRON PIN #670 (FOUND) BEING A COMMON CORNER TO FLAV-O-RICH DAIRIES LLC. A. BRUMMETT, T. BLAKENSHIP, AND J. JOHNSON (D.B. #308, PG. #711)

THENCE LEAVING THE FLAV-O-RICH DAIRIES LLC. LINE WITH THE FENCE SOUTH 89-42-35 EAST A DISTANCE OF 410.11 FEET TO AN IRON PIN #3409 (FOUND) BEING A COMMON CORNER TO A. BRUMMETT, T. BLANKENSHIP, J. JOHNSON, AND NOW OR PREVIOUSLY T. GREGORY (D.B. #88, PG. #447).

THENCE LEAVING THE J. JOHNSON LINE WITH THE FENCE SOUTH 80-37-43 EAST A DISTANCE OF 526.32 FEET TO AN IRON PIN #3230 (SET) AT THE BASE OF A FENCE POST CORNER BEING A COMMON CORNER TO THE BROUGHTON'S, NOW OR PREVIOUSLY T. GREGORY, AND W. BRUNER (D.B. #314. PG. #169).

THENCE LEAVING T. GREGORY LINE WITH THE FENCE NORTH 13-34-34 EAST A DISTANCE OF 197.81 FEET TO AN IRON PIN #3230 (SET) AT A FENCE POST BEING A COMMON CORNER TO W. BRUNER, BROUGHTON'S, AND E.C. BINDER (D.B. #529. PG. #289).

THENCE WITH THE FENCE NORTH 19-08-26 WEST A DISTANCE OF 488.20 FEET PASSING THE V. BINDER (D.B. 526, PG. #361) PROPERTY CORNER TO THE POINT OF BEGINNING, CONTAINING 11.26 ACRES MORE OR LESS AS SURVEYED BY DON R. NOLAN PLS #3230 OR PERSONS UNDER DIRECT SUPERVISION ON JANUARY 15, 2003 WITH ALL BEARINGS BEING REFERENCED TO FLAV-O-RICH DAIRIES LLC. DEED BOOK #536, PAGE #25 OF THE LAUREL COUNTY CLERKS OFFICE, AND ALL IRON PINS SET BEING 5/8 INCH STEEL REBAR WITH PLASTIC CAP MARKED GEO-TEK DRN PLS #3230.

THERE IS ALSO CONVEYED WITH THIS PARCEL A 40-FOOT RIGHT-OF-WAY WITH 20- FEET BEING ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL AND BEING A 1/2 IRON PIN #670 (FOUND) IN THE FENCE ROW, BEING A COMMON PROPERTY CORNER OF MICHAEL BROUGHTON SR., MICHAEL BROUGHTON JR. (D.B. #549, PG. #536). FLAV-O-RICH DAIRIES (D.B. #536. PG. #25) AND BEING IN THE WEST PROPERTY LINE OF T. JONES (D.B. #484, PG. #278).

THENCE LEAVING THE T. JONES LINE AND RUNNING WITH THE FENCE; NORTH 88-36-37 WEST A DISTANCE OF 339.80 FEET. SOUTH 16-51-06 WEST A DISTANCE OF 243.15 FEET NORTH 88-06-09 WEST A DISTANCE OF 521.29 FEET.

THENCE LEAVING THE FENCE AND RUNNING NORTH 54-49-19 WEST A DISTANCE OF 263.35 FEET TO A POINT IN THE EAST RIGHT-OF-WAY OF MELCOLMB ROAD.

THERE ALSO EXISTS A SANITARY SEWER EASEMENT (DEED BOOK #395, PAGE #377) AS SHOWN ON THE PLAT BY APPROXIMATE LOCATION AS PER THE DEED DESCRIPTION, AS FOR THE REST OF THE EASEMENTS FOUND BY THE TITLE SEARCH DATED 12/09/03 THEY WERE FOUND TO IMPACT THE PARENT TRACT OF FLAV-O-RICH DAIRIES LLC. ALTHOUGH OTHER EASEMENTS NOT FOUND IN THE CHAIN OF TITLE MAY OR COULD EXIST NONE WERE FOUND AT THE TIME OF THIS SURVEY.

A PORTION OF THIS PROPERTY WAS CONVEYED TO TERRY BLANKENSHIP AND ANTHONY BRUMMETT, FROM MICHAEL BROUGHTON, SR. AND BRENDA BROUGHTON, HUSBAND AND WIFE, AND MICHAEL BROUGHTON, JR. AND RACHEL BROUGHTON, HUSBAND AND WIFE, IN A PRIOR DEED DATED THE 17TH DAY OF DECEMBER, 2002, RECORDED DECEMBER 18, 2002 IN DEED BOOK 549, PAGE 640, RECORDS OF THE LAUREL COUNTY COURT CLERK'S OFFICE.

THIS IS A NEW SURVEY. THE SAME PROPERTY WAS PREVIOUSLY DESCRIBED AND SURVEYED AS FOLLOWS:

BEGINNING AT A STAKE IN THE EDDIE BINDER PROPERTY LINE, FENCE ROW, SAID CORNER BEING SOUTH 21 DEG. 05' EAST 210.0 FEET FROM AN OLD ORIGINAL FENCE CORNER, COMMON TO CLYDE JONES; THENCE, SOUTH 21 DEG. 05' EAST 487.15 FEET TO A POST CORNER; THENCE, SOUTH 11 DEG 27' WEST 198.12 FEET TO A POST CORNER; THENCE NORTH 82 DEG. 29' WEST 527.28 FEET TO A POST CORNER; THENCE SOUTH 88 DEG. 11' WEST 508.53 FEET TO A STAKE; THENCE NORTH 4 DEG. 19' WEST 352.0 FEET TO A STAKE; THENCE NORTH 87 DEG. 41; EAST 520.0 FEET TO A STAKE; THENCE NORTH 15 DEG. 00' EAST 245.0 FEET TO A STAKE; THENCE NORTH 87 DEG. 55' EAST 341.0 FEET TO THE BEGINNING, CONTAINING 10.75 ACRES MORE OR LESS.

BEING ALL THE SAME PROPERTY CONVEYED TO BLANKENSHIP AND

LEE INVESTMENTS, INC., A KENTUCKY CORPORATION, FROM BLANKENSHIP AND BRUMMETT INVESTMENT, INC., A KENTUCKY CORPORATION, BY DEED DATED OCTOBER 5, 2005, RECORDED OCTOBER 22, 2005, IN DEED BOOK 596, AT PAGE 669, OF RECORD IN THE LAUREL COUNTY COURT CLERK'S OFFICE. ALSO BEING ALL THE SAME PROPERTY CONVEYED TO BLANKENSHIP & BRUMMETT INVESTMENT, INC., A KENTUCKY CORPORATION, FROM TERRY BLANKENSHIP, SINGLE, AND ANTHONY BRUMMETT AND KIM BRUMMETT, HUSBAND AND WIFE, BY DEED DATED FEBRUARY 13, 2003 RECORDED FEBRUARY 14, 2003, IN DEED BOOK 552, AT PAGE 229, OF RECORD IN THE LAUREL COUNTY COURT CLERK'S OFFICE. ALSO BEING ALL THE SAME PROPERTY CONVEYED TO TERRY BLANKENSHIP, SINGLE, AND ANTHONY BRUMMETT, MARRIED, FROM MICHAEL BROUGHTON, SR. AND BRENDA BROUGHTON, HUSBAND AND WIFE, AND MICHAEL BROUGHTON, JR. AND RACHEL BROUGHTON, HUSBAND AND WIFE, BY DEED DATED FEBRUARY 11, 2003, RECORDED IN DEED BOOK 552, AT PAGE 223, OF RECORD IN THE LAUREL COUNTY COURT CLERK'S OFFICE.

This Ordinance shall be effective upon publication.

Troy Rudder
TROY RUDDER, MAYOR

ATTEST:

Carolyn Adams
CAROLYN ADAMS, CITY CLERK

First Reading: October 6, 2014
Second Reading: October 14, 2014
Publication date: October 17, 2014